

25 February 1976

P-Schorr, Daniel

CIA House Ethics Ctr

# Inquiry on Schorr Started by House Spy Committee

By RICHARD D. LYONS

Special to The New York Times

WASHINGTON, Feb. 24—Congress began its investigation of the Daniel Schorr affair today as more details came to light of the manner in which he had leaked a House intelligence report to The Village Voice, the New York newspaper.

The House Committee on Standards of Official Conduct held a two-hour, closed hearing into the matter this morning but did not decide how to proceed further.

Representative John J. Flynt, the Georgia Democrat who is chairman of the committee, said the group had discussed "guidelines" under which the committee would operate and put off further action until a meeting tomorrow morning.

The House voted last week to have the committee investigate the circumstances under which Mr. Schorr, a Washington correspondent for CBS News, obtained a copy of the report of the House Select Committee on Intelligence, and then made it available to The Village Voice, which printed excerpts after the House had voted to keep the report secret.

**First Amendment Involved**

One point still unclear is whether the Federal Bureau of Investigation should be called in to collect evidence to present to the committee. Officials of the committee and the Justice

Department have discussed the use of F.B.I. agents, but have not resolved the matter.

Meanwhile, the Reporters Committee for Freedom of the Press, the group Mr. Schorr had designated to benefit financially from publication of the intelligence report, issued a statement here denying that it had either acted as intermediary in the transaction or had received any money from any of the principals in the case.

The reporters group is composed of about 20 journalists working for newspapers, magazines and broadcasting networks who have set up a legal defense and research fund, to defend cases involving the First Amendment.

The statement was signed by six members of the executive committee of the reporters group, several of whom privately identified Peter F. Tufo, a New York attorney, as having acted as an intermediary between Mr. Schorr and Clay Felker, publisher of The Village Voice.

But this was denied by Mr. Tufo during a telephone interview. He said he had discussed the matter with Mr. Schorr and Mr. Felker but in doing so had acted as pro bono counsel for the reporters committee, without fee.

"I contacted several people [seeking publication of the report] including Mr. Felker on the part of the [reporters] committee," Mr. Tufo said. "The reporters committee did have

knowledge of what was going on."

Mr. Felker could not immediately be reached for comment.

Mr. Tufo's statement is somewhat at odds with that issued today by the reporters committee, which said, in part:

"At no time, before or after publication of the Pike report in The Village Voice, has any member of the reporters committee had any contact with Clay Felker nor has any money been offered by him or received. The final arrangements for publication were made without the approval or knowledge of any member of the reporters committee."

Yet the reporters' statement did not specifically state that its members were unaware of the negotiations between Mr. Schorr and The Village Voice, and that Mr. Tufo was a party to them.

**Willing to Take Gift**

Mr. Tufo, a former lobbyist for New York City during the Lindsay administration, had previously acted as an attorney for a group of reporters, including Mr. Schorr, who had sought to prevent the inspection by Federal agencies of their personal telephone records. The reporters contended that this was an attempt by the Government to find out their sources of information.

In a letter to the editor printed by The New York Times last Sunday, Mr. Schorr said he had suggested that Mr. Felker, instead of paying him for making the intelligence report available to The Village Voice, make a contribution to the reporters group that might be used to defend cases involving freedom of the press.

Today's statement by the reporters committee said the group had "agreed" that it

would accept the proceeds, if any.

The delicacy of the wording of the statements by the principals in the case of the leaked intelligence report lies the fact that some, or all, of them might be subpoenaed to testify in the Congressional investigation.

Mr. Flynt, chairman of the House committee on official conduct, said today that the problems initially posed by the investigation had been procedural. Among the points being discussed, he said, were what form the investigation should take, whether a staff was needed to conduct the inquiry, and if there should be public hearings.

The fact that the committee has never formally investigated anyone compounds its problems. The committee would, seemingly, not have jurisdiction over an investigation of Mr. Schorr, who is not a Federal employee. Yet the mandate given the committee by last week's House resolution empowers them to investigate the matter.

CBS News relieved Mr. Schorr of his duties as a news correspondent yesterday pending the outcome of the matter. A statement by Richard Salant, president of CBS News, said in part:

"We shall postpone further CBS News action relating to Mr. Schorr until all Government proceedings have been resolved" so as "not to prejudice the important principles involved in the acquisition, and reporting on, the report."

It was not clear whether CBS knew that Mr. Schorr had been seeking publication or other disposition of the report at the time he was dealing with the reporters' committee or The Village Voice. Mr. Salant could not be reached to clarify this question.

S. Rep. 1 Reporters Ctr for  
Freedom of the Press

Tufo, Peter